

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02125-CJN**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF DEFENSE
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 09/13/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JUDICIAL WATCH, INC.**

represented by **Ramona Raula Cotca**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: rcotca@judicialwatch.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul J. Orfanelles
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: porfanelles@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF DEFENSE**

represented by **William Mark Nebeker**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2536
Fax: (202) 252-2599
Email: mark.nebeker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

April Denise Seabrook
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2525
Fax: (202) 252-2599
Email: april.seabrook@usdoj.gov
TERMINATED: 10/30/2018

Date Filed	#	Docket Text
09/13/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF DEFENSE (Filing fee \$ 400 receipt number 0090-5686946) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil

		Cover Sheet, # <u>2</u> Summons U.S. Attorney for the District of Columbia, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons U.S. Department of Defense)(Orfanedes, Paul) (Entered: 09/13/2018)
09/13/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Orfanedes, Paul) (Entered: 09/13/2018)
09/17/2018		Case Assigned to Judge Randolph D. Moss. (zjd) (Entered: 09/17/2018)
09/17/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF DEFENSE, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(zjd) (Entered: 09/17/2018)
09/17/2018	<u>4</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 9/17/2018. (lcrdm2,) (Entered: 09/17/2018)
10/02/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/24/2018. (Answer due for ALL FEDERAL DEFENDANTS by 10/24/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/24/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 9/24/2018 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Orfanedes, Paul) (Entered: 10/02/2018)
10/24/2018	<u>6</u>	ANSWER to Complaint <i>and Affirmative Defenses</i> by U.S. DEPARTMENT OF DEFENSE.(Seabrook, April) (Entered: 10/24/2018)
10/24/2018		MINUTE ORDER: The parties are hereby ORDERED to appear for an Initial Scheduling Conference on October 30, 2018, at 11:00 a.m. in Courtroom 21. It is further ORDERED that the parties shall confer in advance of the Initial Scheduling Conference on (1) whether any records can be released, and (2) the proper next steps in this litigation. Signed by Judge Randolph D. Moss on 10/24/2018. (lcrdm2,) (Entered: 10/24/2018)
10/25/2018		Set/Reset Hearings: Initial Scheduling Conference set for 10/30/2018, at 11:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 10/25/2018)
10/25/2018	<u>7</u>	NOTICE of Appearance by Ramona Raula Cotca on behalf of JUDICIAL WATCH, INC. (Cotca, Ramona) (Entered: 10/25/2018)
10/30/2018	<u>8</u>	NOTICE OF SUBSTITUTION OF COUNSEL by William Mark Nebeker on behalf of All Defendants Substituting for attorney April Seabrook (Nebeker, William) (Entered: 10/30/2018)
10/30/2018		Minute Entry for proceedings held before Judge Randolph D. Moss: Initial Scheduling Conference held on 10/30/2018. Rolling releases shall commence on 12/21/2018; Joint Status Report due by 12/11/2018. (Court Reporter: Jeff Hook.) (kt) (Entered: 10/30/2018)
12/11/2018	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Nebeker, William) (Entered: 12/11/2018)
12/11/2018		MINUTE ORDER: In light of the parties' joint status report, Dkt. 9, it is hereby ORDERED that the parties shall submit a further joint status report on or before January 25, 2019. Signed by Judge Randolph D. Moss on 12/11/2018. (lcrdm2,) (Entered: 12/11/2018)
12/12/2018		Set/Reset Deadlines: Joint Status Report due by 1/25/2019. (kt) (Entered: 12/12/2018)
01/25/2019	<u>10</u>	Unopposed MOTION to Stay (<i>Defendant's Unopposed Motion to Stay Proceedings in Light of Lapse in Appropriations</i>) by U.S. DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 01/25/2019)
01/27/2019		MINUTE ORDER: Upon consideration of Defendants' unopposed motion to stay, Dkt. <u>10</u> , it is hereby ORDERED that the motion is GRANTED in part and DENIED in part. It is ORDERED that the request for a stay is DENIED. It is further ORDERED that the parties shall file a joint status report on or before February 11, 2019. Signed by

		Judge Randolph D. Moss on 1/27/2019. (lcrdm2,) (Entered: 01/27/2019)
01/28/2019		Set/Reset Deadlines: Joint Status Report due by 2/11/2019. (kt) (Entered: 01/28/2019)
02/11/2019	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Nebeker, William) (Entered: 02/11/2019)
02/18/2019		MINUTE ORDER: In light of the parties' joint status report, Dkt. 11, it is hereby ORDERED that the parties shall submit a further joint status report on or before April 4, 2019. Signed by Judge Randolph D. Moss on 2/18/2019. (lcrdm2,) (Entered: 02/18/2019)
02/19/2019		Set/Reset Deadlines: Joint Status Report due by 4/4/2019. (kt) (Entered: 02/19/2019)
04/04/2019	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Nebeker, William) (Entered: 04/04/2019)
04/08/2019		MINUTE ORDER: In light of the parties' joint status report, it is hereby ORDERED that the parties shall file a further joint status report on or before May 6, 2019. Signed by Judge Randolph D. Moss on 4/8/2019. (lcrdm2,) (Entered: 04/08/2019)
04/08/2019		Set/Reset Deadlines: Joint Status Report due by 5/6/2019. (kt) (Entered: 04/08/2019)
05/03/2019	<u>13</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 05/03/2019)
05/06/2019		MINUTE ORDER: In light of the parties' joint status report, Dkt. 13, it is hereby ORDERED that the parties shall submit a further joint status report on or before June 4, 2019. Signed by Judge Randolph D. Moss on 5/6/2019. (lcrdm2,) (Entered: 05/06/2019)
05/06/2019		Set/Reset Deadlines: Joint Status Report due by 6/4/2019. (kt) (Entered: 05/06/2019)
06/04/2019	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE. (Nebeker, William) (Entered: 06/04/2019)
06/06/2019		MINUTE ORDER: In light of the parties' joint status report, Dkt. 14, it is hereby ORDERED that Defendant shall provide one or more draft Vaughn declaration(s) to Plaintiff on or before July 30, 2019, and that Plaintiff will identify, in light of the information in the Vaughn declaration(s), which withholdings remain at issue on or before August 30, 2019. In the event that Plaintiff challenges any withholdings, the following briefing schedule shall apply: Defendant shall file a motion for summary judgment on or before September 30, 2019; Plaintiff shall file an Opposition/Cross-Motion on or before October 30, 2019; Defendant shall file a Reply/Opposition on or before November 22, 2019; and Plaintiff shall file a reply on or before December 9, 2019. Signed by Judge Randolph D. Moss on 6/6/2019. (lcrdm2,) (Entered: 06/06/2019)
06/06/2019		Set/Reset Deadlines: Defendant's one or more draft Vaughn declaration(s) due to Plaintiff on or before 7/30/2019; Plaintiff to identify, in light of the information in the Vaughn declaration(s), which withholdings remain at issue on or before 8/30/2019; Defendant shall file a motion for summary judgment on or before 9/30/2019; Plaintiff shall file an Opposition/Cross-Motion on or before 10/30/2019; Defendant shall file a Reply/Opposition on or before 11/22/2019; Plaintiff shall file a reply on or before 12/9/2019. (kt) (Entered: 06/06/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Randolph D. Moss is no longer assigned to the case. (rj) (Entered: 06/24/2019)
07/30/2019	<u>15</u>	MOTION for Extension of Time to <i>Provide Plaintiff With Draft Vaughn Index</i> by U.S. DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 07/30/2019)
07/31/2019		MINUTE ORDER. Upon consideration of Defendant's <u>15</u> Motion for Enlargement of Time, it is hereby ORDERED that the Motion is GRANTED. It is further ORDERED that by August 6, 2019, Defendant shall provide Plaintiff a draft Vaughn declaration or declarations addressed to: (1) the Exemption b(4) redactions on pages 313–15, 327, 329–44, 428–32, 359–60 (except for phone numbers, street addresses, and email addresses) from the March 25, 2019 production; and (2) the names and backgrounds of

		contributors to the India–China Study from the December 21, 2018 production. Signed by Judge Carl J. Nichols on July 31, 2019. (lccjn1) (Entered: 07/31/2019)
09/30/2019	<u>16</u>	Unopposed MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by U.S. DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 09/30/2019)
10/02/2019		MINUTE ORDER. Upon review of Defendant's <u>16</u> Motion for Extension of Time to File, it is hereby ORDERED that the motion is GRANTED. Defendant shall file its Motion for Summary Judgment by October 30, 2019. Signed by Judge Carl J. Nichols on October 2, 2019. (lccjn2) (Entered: 10/02/2019)
10/02/2019		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 10/30/2019. (zcdw) (Entered: 10/03/2019)
10/29/2019	<u>17</u>	Unopposed MOTION for Extension of Time to File <i>Dispositive Motion</i> by U.S. DEPARTMENT OF DEFENSE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 10/29/2019)
10/31/2019		MINUTE ORDER. Upon review of Defendant's <u>17</u> Motion for Extension of Time to File, it is hereby ORDERED that the motion is GRANTED. Defendant shall file its Motion for Summary Judgment by December 10, 2019. Signed by Judge Carl J. Nichols on October 31, 2019. (lccjn2) Modified signature date on 10/31/2019 (zcdw). (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines/Hearings: Defendant's Summary Judgment motion due by 12/10/2019. (zcdw) (Entered: 10/31/2019)